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March 15, 2002

Ms. Kim Ogle, RCRA Project Manager
United States EPA, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Subject: **March 15, 2002 Progress Report
J. H. Baxter Arlington Facility
Docket No. RCRA-10-2001-0086**

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Dear Ms. Ogle:

This letter provides the March 15, 2002 progress report for work completed under the Administrative Order on Consent (AOC) for the J. H. Baxter facility during the period February 15 to March 15, 2002.

Significant developments this period

This section discusses significant developments for the referenced reporting period, including actions performed and any problems encountered relative to work required by the Order. Significant developments that occurred on this project during this reporting period are outlined below:

- Analytical results from the January 2002 State Waste Discharge Permit (SWDP) sampling event (Untreated Pole Storage Area drains, Stormwater Permit Monitoring Wells, and the closed woodwaste landfill wells) were received by Baxter on February 22, 2002. These data are currently being validated.
- On February 22, 2002, preliminary analytical results (unvalidated) from the Untreated Pole Storage Area drain composite sample were received from Columbia Analytical Services, indicating pentachlorophenol concentrations of 65 µg/L in the composite of drains 7 and 8. Drains 7 and 8 were sampled individually on March 5, 2002, within the two-week period as ordered in the Stipulation and Agreed Order of Dismissal for the SWDP. Data has not yet been received from the laboratory for these samples.
- Analytical results from the February 11, 2002 SWDP lysimeter sampling event were received by Baxter on March 4, 2002. These data are currently being validated.

- On March 15, 2002, a letter was submitted to Julie Sellick of the Department of Ecology (Ecology) with a copy to EPA discussing the "contained-in" determination and introducing a proposal for a new stormwater treatment and discharge system.

Anticipated Developments next period

This section discusses developments anticipated during the next reporting period.

- Sampling of the Stormwater Permit Monitoring Wells, closed woodwaste landfill monitoring wells, and lysimeters is scheduled for the week of April 8, 2002.
- Baxter has continued to collect drain samples from the Untreated Pole Storage Area in accordance with the SWDP. Since these drains are going to be closed as soon as possible, the sampling no longer serves a purpose under the SWDP. Baxter intends to propose to cease drain sampling, and will prepare a letter to this effect. The letter will be provided to Ms. Jeanne Tran within the next reporting period.
- Data from the January 2002 and February 2002 sampling events that are validated in accordance with the SWDP requirements will be summarized and forwarded to EPA with the next progress report.
- Baxter is expecting comments from EPA on the Site Investigation Work Plan during the week of March 18, 2002.

Anticipated Problems and Problem Resolution

This section discusses anticipated problems, and planned resolution of past or anticipated problems.

- Implementation of the Excess Stormwater Management Plan continues to be problematic. The operation of the Excess Stormwater Management System (ESMS) required a contained-out determination from Ecology to allow discharge of the treated water. The Ecology-issued contained-out determination included not only requirements for pentachlorophenol (PCP), which the system was designed to address, but also limits for dioxins no greater than 0.6 ppq toxic equivalents (TEQ). The ability of the treatment system in the ESMS to meet the state dioxin limits has been a significant obstacle in the implementation of the system. Baxter and its consultants have tried to identify technologies that would provide Baxter and Ecology with a sufficient comfort level that the standards could be consistently achieved. In literature searches regarding technologies for handling dioxins in water, we were unable to identify information that would demonstrate a successful pilot-scale or full-scale treatment of dioxins from similar conditions. The resources searched included:

- (1) EPA Home Resources web page (www.epa.gov/epahome/resources.htm)
Libraries and Information Centers, Clearinghouses and Publications, and
- (2) EPA REACH IT (Remediation and Characterization Innovative Technologies) web site (www.epareachit.org).

Furthermore, we talked with colleagues across the country regarding dioxin in water. Typically, activated carbon is the technology most often used to eliminate organic contaminants from water. The effectiveness of activated carbon to eliminate dioxins is influenced by several factors including the variability of the dioxin concentrations in the stormwater, the amount of total dissolved and suspended solids, the adsorption of the dioxin onto fine particulate, the concentrations of other constituents such as polycyclic aromatic hydrocarbons (PAHs), chlorophenols, and oil and grease, and the specific physical characteristics of the batch of activated carbon being used. Although the ESMS design considerations would address the removal of dioxins from the stormwater, it is not certain that the state limits would be consistently met.

Baxter continues to work on solutions to the issue. Baxter has requested a meeting with Ecology and the EPA Project Manager to present a preliminary overview of a revised Excess Stormwater Management Plan that would address this issue. If Ecology and EPA concurs that the preliminary plan is an acceptable approach, then Baxter will submit detailed information to EPA for review and approval.

Other Information

Any other information relevant to the Order is discussed in this section, including results of any sampling or testing completed within the reporting period.

- No other information relevant to the Order was generated during the reporting period.

Certification

I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to evaluate the information submitted. I certify that the information contained in or accompanying this submittal is true, accurate and complete. As to those identified portions(s) of this submittal for which I cannot personally verify the accuracy, I certify that this submittal and all attachments were prepared in accordance with procedures designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, or the immediate supervisor of such person(s), the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: RueAnn Thomas

Name: RueAnn Thomas
Title: Environmental Programs Director
Date: March 15, 2002

We trust this letter meets the intent of the Progress Report per Paragraph 71 of the AOC. If you have any questions, please contact me at (541) 689-3801.

Sincerely,

RueAnn Thomas

RueAnn Thomas
Environmental Programs Director

cc: Georgia Baxter, J. H. Baxter & Co.
Mary Larson, J. H. Baxter & Co.
Sara Beth Watson, Steptoe and Johnson
Will Abercrombie, Hart Crowser Inc.
J. Stephen Barnett, Premier Environmental Services, LLC.